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May 27, 2021

VIA ECF

Honorable Paul A. Engelmayer
United States District Court
Southern District of New York
40 Foley Square, Room 2201
New York, New York 10007

ECF Letter Application

**IN RE: APPLICATION OF JOSEPH BENKEL, ADV. FOR THE ASSETS OF THE
BANKRUPT, MR. ELIEZER FISHMAN I.D. NO. 030302657 FOR AN ORDER TO
TAKE DISCOVERY PURSUANT TO 28 U.S.C. § 1782 (1:20 MMC 00248 - PAE) –
REQUEST FOR ADJOURNMENT**

Dear Judge Engelmayer:

We write this letter in our capacity as legal counsel for the proposed intervenors (1) Mivne Real Estate (K.D.) Ltd.; (2) Darban Investments Corp.; (3) Mirland Development Corp.; (4) Muse Holdings; (5) Tova Fishman; and (6) Fishman North America Holdings, Inc. Pursuant to the Court order issued on April 15, 2021 (Docket Entry No. 41) and the Court hearing held on April 26, 2021, we have engaged in settlement discussions with Aurora Cassirer, Esq., from Troutman Pepper, counsel for petitioner Joseph Benkel, Adv., and Jason Nagi, Esq., from Offit Kurman, counsel for respondent, Levy Holm Pellegrino and Drath LLP.

Counsel for the parties are continuing to actively negotiate the terms of a settlement agreement. Counsel for Intervenor are waiting for final comments from one of the clients regarding the drafts of the proposed agreement. The parties are hopeful that they will finalize an agreement next week. Accordingly, we respectfully request that the Court grant a short adjournment for the oral argument/telephonic conference scheduled for this Tuesday June 1, 2021 at 1:00 PM until June 8, 2021, so the parties can try to finalize the agreement.

We have reached out to Ms. Cassirer and Mr. Nagi and they both have agreed to the adjournment that we are proposing. The court conference that was previously scheduled for May 10, 2021 was adjourned by the Court until May 21, 2021,

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and the court conference scheduled for May 21, 2021 was adjourned until June 1, 2021, after the parties requested adjournments.

Respectfully yours,

/s/ Daniel P. Rubel

Daniel P. Rubel

The conference in this case currently scheduled for June 1, 2021 is adjourned. Counsel are directed to file a status update by June 8, 2021 as to whether a settlement has been reached. If a settlement has not been reached, the Court will then schedule a next conference date.
SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge
5/28/2021